

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA

97 OCT -9 PM 3:08

NORTHEASTERN DIVISION

U.S. DISTRICT COURT  
N.D. OF ALABAMA

UNITED STATES OF AMERICA )

Plaintiff, )

v. )

CIVIL ACTION NO. 97-C-2282-NE

DEREK A. MIDDLETON )

SSN: 420-04-8470, )

Defendant. )

**ENTERED**

OCT 10 1997

FINDINGS AND CONCLUSIONS

This cause coming on to be heard on the written motion of Plaintiff, supported by affidavit, for Judgment by Default in favor of Plaintiff and against Defendant pursuant to Rule 55, Federal Rules of Civil Procedure, the Court makes the following findings and conclusions:

1. The Summons and Complaint were served upon Defendant on September 11, 1997; Defendant has failed to appear, plead, or otherwise defend.

2. Defendant is not an infant or incompetent person, nor has Defendant been in the military service of the United States since the filing of this suit or for a period of six months prior to such filing.

3. Defendant is indebted to Plaintiff in the principal sum of \$2,555.40, costs of \$49.00, court costs of

\$150.00 pursuant to 28 U.S.C. § 2412(a) (2), and interest of \$1,396.41 through October 2, 1997, and at the rate of 8% until date of judgment.

4. Plaintiff is due to recover from Defendant the total sum of \$4,150.81, plus interest from October 2, 1997, until date of judgment at the rate of 8 percent per annum and interest thereafter at the prevailing legal rate per annum until paid in full. A judgment will enter accordingly.

Done this the 9<sup>th</sup> day of October, 1997.

A handwritten signature in cursive script, appearing to read "J. Kleiman", written over a horizontal line.

UNITED STATES DISTRICT JUDGE